

NO. 9

JOURNAL
of the
HOUSE OF REPRESENTATIVES
of the
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 13, 2009

WEDNESDAY, JANUARY 28, 2009
(STATEWIDE SESSION)

Wednesday, January 28, 2009
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 2:00 p.m.

Deliberations were opened with prayer by Rev. Charles E. Seastrunk, Jr., as follows:

Our thought for today is from Psalm 70:5: "You are my help and my deliverer; O Lord, do not delay."

Let us pray. Rescue us from anything more than we can handle today. Give us strength, courage, wisdom, and integrity to gather in all the knowledge then make decisions which are good and pleasing to You and to all the people of our State. Look in favor upon our Nation, President, State, Governor, Speaker, and all who serve in these Halls of Government. Protect our defenders of freedom at home and abroad as they protect us. Hear us, O Lord, as we pray. Amen.

Pursuant to Rule 6.3, the House of Representatives was led in the Pledge of Allegiance to the Flag of the United States of America by the SPEAKER.

After corrections to the Journal of the proceedings of yesterday, the SPEAKER ordered it confirmed.

MOTION ADOPTED

Rep. COOPER moved that when the House adjourns, it adjourn in memory of Sara R. Phibbs of Pelzer, which was agreed to.

INVITATIONS

On motion of Rep. KIRSH, with unanimous consent, the following were taken up for immediate consideration and accepted:

January 28, 2009
The Honorable Herb Kirsh
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

WEDNESDAY, JANUARY 28, 2009

Dear Chairman Kirsh:

On behalf of the Carolinas AGC, the Members and staff of the House of Representatives are invited to a Legislative Reception. This event will be held on Tuesday, February 3, 2009, from 6:00 p.m. until 8:00 p.m. at the Koger Center for the Arts.

Sincerely,
Stephen P. Gennett
President and CEO

January 28, 2009
The Honorable Herb Kirsh
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of Holder Properties, the Members of the House of Representatives are invited to a Legislative Breakfast. This event will be held on Wednesday, February 4, 2009, from 8:00 a.m. until 10:00 a.m. in Room 112 of the Blatt Building.

Sincerely,
Ashley Gosse
Director of Marketing

January 28, 2009
The Honorable Herb Kirsh
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of the Myrtle Beach Area Chamber of Commerce, the Members and staff of the House of Representatives are invited to a Legislative Reception. This event will be held on Wednesday, February 4, 2009, from 6:00 p.m. until 8:00 p.m. at the Clarion Hotel.

Sincerely,
Brad Dean
President & CEO

[HJ]

WEDNESDAY, JANUARY 28, 2009

January 28, 2009
The Honorable Herb Kirsh
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of the Association of Cosmetology Salon Professionals, the Members and staff of the House of Representatives are invited to a Legislative Breakfast. This event will be held on Thursday, February 5, 2009, from 8:00 a.m. until 10:00 a.m. in Room 112 of the Blatt Building.

Sincerely,
Catherine Stabler
ACSP President

January 28, 2009
The Honorable Herb Kirsh
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of the South Carolina Arts Alliance, the Members of the House of Representatives are invited to a Legislative Luncheon. This event will be held on Tuesday, February 10, 2009, from 1:00 p.m. until 2:30 p.m. at the Capital City Club.

Sincerely,
Betty J. Plumb
Executive Director

January 28, 2009
The Honorable Herb Kirsh
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of the South Carolina Supreme Court Justices, the Court of Appeals, the Circuit Court Judges, the Family Court Judges and the

WEDNESDAY, JANUARY 28, 2009

Master-In-Equity, the Members of the House of Representatives are invited to a Legislative Reception. This event will be held on Tuesday, February 10, 2009, from 6:00 p.m. until 8:00 p.m. at the Clarion Hotel.

Sincerely,
Judge Paul M. Burch

January 28, 2009
The Honorable Herb Kirsh
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of the South Carolina School Counselor Association, the Members and staff of the House of Representatives are invited to a Legislative Breakfast. This event will be held on Wednesday, February 11, 2009, from 8:00 a.m. until 10:00 a.m. in Room 112 of the Blatt Building.

Sincerely,
Kitty C. Henderson
Government Relations & Advocacy Committee Chair

January 28, 2009
The Honorable Herb Kirsh
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of the South Carolina Athletic Trainers' Association, the Members and staff of the House of Representatives are invited to a Legislative Luncheon. This event will be held on Wednesday, February 11, 2009, from 12:00 p.m. until 2:00 p.m. in Room 112 of the Blatt Building.

Sincerely,
J. "Raz" Razayeski
President

WEDNESDAY, JANUARY 28, 2009

January 28, 2009
The Honorable Herb Kirsh
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of the South Carolina Hospital Association, the Members and staff of the House of Representatives are invited to a Legislative Reception. This event will be held on Wednesday, February 11, 2009, from 6:00 p.m. until 8:00 p.m. at the Clarion Townhouse Hotel.

Sincerely,
J. Thornton Kirby
President & CEO

January 28, 2009
The Honorable Herb Kirsh
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of the Behavioral Health Services Association, the Members and staff of the House of Representatives are invited to a Legislative Breakfast. This event will be held on Thursday, February 12, 2009, from 8:00 a.m. until 10:00 a.m. in Room 112 of the Blatt Building.

Sincerely,
Ashley S. Hunter
Vice President of Governmental Affairs

January 28, 2009
The Honorable Herb Kirsh
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of the South Carolina Credit Union League, the Members of the House of Representatives are invited to a Legislative Reception. This

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event will be held on Tuesday, February 17, 2009, from 6:00 p.m. until 8:00 p.m. at the Clarion Townhouse Hotel.

Sincerely,
Garry L. Parks
President & CEO

January 28, 2009
The Honorable Herb Kirsh
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of the South Carolina Society of Professional Engineers, the Members of the House of Representatives are invited to a Legislative Reception. This event will be held on Tuesday, February 17, 2009, from 7:00 p.m. until 9:00 p.m. at the Clarion Townhouse Hotel.

Sincerely,
Ginger Booker
Account Executive

January 28, 2009
The Honorable Herb Kirsh
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of the March of Dimes, the Members and staff of the House of Representatives are invited to a Legislative Breakfast. This event will be held on Wednesday, February 18, 2009, from 8:00 a.m. until 10:00 a.m. in Room 112 of the Blatt Building.

Sincerely,
Megan McKenzie
Director of Program Service

January 28, 2009
The Honorable Herb Kirsh

[HJ]

WEDNESDAY, JANUARY 28, 2009

Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of the South Carolina Consortium for Gifted Education, the Members of the House of Representatives are invited to a Legislative Luncheon. This event will be held on Wednesday, February 18, 2009, from 12:00 p.m. until 2:00 p.m. in Room 112 of the Blatt Building.

Sincerely,
Linda Shaylor
Advocacy Committee Chair

January 28, 2009
The Honorable Herb Kirsh
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of the Municipal Association of South Carolina, the Members of the House of Representatives are invited to a Legislative Reception. This event will be held on Wednesday, February 18, 2009, from 6:00 p.m. until 7:30 p.m. at the Columbia Marriott Hotel.

Sincerely,
Ken Ivey
Conference Manager

January 28, 2009
The Honorable Herb Kirsh
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of the Affordable Housing Coalition of South Carolina, the Members and staff of the House of Representatives are invited to a Legislative Breakfast. This event will be held on Thursday, February 19, 2009, from 8:00 a.m. until 10:00 a.m. in Room 112 of the Blatt Building.

[HJ]

WEDNESDAY, JANUARY 28, 2009

Sincerely,
Gloria J. Bowden
Executive Director

January 28, 2009
The Honorable Herb Kirsh
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of the Electric Cooperatives of South Carolina, the Members and staff of the House of Representatives are invited to a Legislative Reception. This event will be held on Tuesday, February 24, 2009, from 6:00 p.m. until 8:00 p.m. at the Columbia Metropolitan Convention Center.

Sincerely,
Mike Couick

January 28, 2009
The Honorable Herb Kirsh
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of the South Carolina REALTORS, the Members of the House of Representatives are invited to a Legislative Reception. This event will be held on Tuesday, February 24, 2009, from 7:00 p.m. until 9:00 p.m. at the Columbia Marriott Hotel.

Sincerely,
Nick Kremydas
CEO

January 28, 2009
The Honorable Herb Kirsh
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

[HJ]

WEDNESDAY, JANUARY 28, 2009

Dear Chairman Kirsh:

On behalf of the South Carolina Nursery & Landscaping Association, the Members of the House of Representatives are invited to a Legislative Breakfast. This event will be held on Wednesday, February 25, 2009, from 8:00 a.m. until 10:00 a.m. in Room 112 of the Blatt Building.

Sincerely,
Donna Foster
Executive Director

January 28, 2009
The Honorable Herb Kirsh
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of the South Carolina Child Care Association, the Members of the House of Representatives are invited to a Legislative Luncheon. This event will be held on Wednesday, February 25, 2009, from 12:00 p.m. until 2:00 p.m. in Room 112 of the Blatt Building.

Sincerely,
Karen C. Boyce
Executive Director

January 28, 2009
The Honorable Herb Kirsh
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of the American Legislative Exchange Council, the Members and staff of the House of Representatives are invited to a Legislative Reception. This event will be held on Wednesday, February 25, 2009, from 6:00 p.m. until 8:00 p.m. at the Clarion Townhouse Hotel.

Sincerely,
Frank Rogers
ALEC Private Sector Chair

WEDNESDAY, JANUARY 28, 2009

January 28, 2009
The Honorable Herb Kirsh
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of the South Carolina Cancer Alliance, the Members and staff of the House of Representatives are invited to a Legislative Breakfast. This event will be held on Thursday, February 26, 2009, from 8:00 a.m. until 10:00 a.m. in Room 112 of the Blatt Building.

Sincerely,
John Ureda, DrPH
Chair, SCCA Coordinating Council

REPORTS OF STANDING COMMITTEES

Rep. J. R. SMITH, from the Aiken Delegation, submitted a favorable report on:

H. 3316 -- Reps. J. R. Smith, T. R. Young, D. C. Smith, Clyburn, Stewart and Spires: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY DESIGNATING SECTION 59-53-1610 AS SUBARTICLE 1 AND ENTITLED "GENERAL PROVISIONS"; AND BY ADDING SUBARTICLE 2 TO ARTICLE 19, CHAPTER 53, TITLE 59 SO AS TO PROVIDE FOR THE CREATION OF THE AIKEN TECHNICAL COLLEGE ENTERPRISE CAMPUS AUTHORITY, AND TO PROVIDE FOR ITS POWERS AND DUTIES.

Ordered for consideration tomorrow.

Rep. KIRSH, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

H. 3144 -- Rep. Hosey: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION TO NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 125 UNDER STATE JURISDICTION FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 3 IN ALLENDALE COUNTY TO ITS INTERSECTION WITH THE UNITED STATES DEPARTMENT OF ENERGY'S SAVANNAH RIVER SITE'S

[HJ]

WEDNESDAY, JANUARY 28, 2009

BOUNDARY NEAR THE TOWN OF JACKSON IN AIKEN COUNTY THE "COACH AARON MANIGAULT MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS "COACH AARON MANIGAULT MEMORIAL HIGHWAY".

Ordered for consideration tomorrow.

Rep. KIRSH, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

H. 3225 -- Reps. Delleney, Clemmons and Mack: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, FEBRUARY 11, 2009, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN CHIEF JUDGE OF THE COURT OF APPEALS, SEAT 5, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE FIRST JUDICIAL CIRCUIT, SEAT 1, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2010, AND THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE FIFTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE EIGHTH JUDICIAL CIRCUIT, SEAT 2, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2012; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE NINTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE FOURTEENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE FIFTEENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 1, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2009, AND THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2015; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 2, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT

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3, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 4, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 5, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 6, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2009, AND THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2015; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 7, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 8, WHOSE TERM EXPIRES JUNE 20, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 9, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 10, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE TENTH JUDICIAL CIRCUIT, SEAT 1, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2013; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE THIRTEENTH JUDICIAL CIRCUIT, SEAT 6, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2010, AND THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE ADMINISTRATIVE LAW COURT, SEAT 4, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2010, AND THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2015.

Ordered for consideration tomorrow.

HOUSE RESOLUTION

The following was introduced:

H. 3355 -- Rep. Funderburk: A HOUSE RESOLUTION TO CONGRATULATE LIEUTENANT COLONEL JOHN W. MIMS, OF KERSHAW COUNTY, UNITED STATES ARMY CHAPLAIN, UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED SERVICE, AND

WEDNESDAY, JANUARY 28, 2009

TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 3356 -- Reps. Huggins, Ballentine, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Gullick, Gunn, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR COLONEL DOUGLAS M. SENTER, FORMER DIRECTOR OF THE DUTCH FORK HIGH SCHOOL AIR FORCE JUNIOR ROTC, FOR HIS WONDERFUL WORK WITH THIS PROGRAM AND FOR AN EXCEPTIONAL MILITARY CAREER, AND TO EXPRESS THE GRATITUDE OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES FOR HIS MERITORIOUS LEADERSHIP TO CADETS THROUGHOUT THE YEARS.

The Resolution was adopted.

WEDNESDAY, JANUARY 28, 2009

INTRODUCTION OF BILLS

The following Bills and Joint Resolutions were introduced, read the first time, and referred to appropriate committees:

H. 3357 -- Reps. Cooper and White: A BILL TO AMEND SECTION 8-11-65, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LEAVES OF ABSENCE FOR STATE AND LOCAL OFFICERS AND EMPLOYEES TO BE ORGAN DONORS, SO AS TO PROVIDE THAT THE AGGREGATE LIMIT FOR SUCH LEAVES OF ABSENCE SHALL BE COMPUTED ON A CALENDAR YEAR BASIS RATHER THAN A FISCAL YEAR BASIS.

Referred to Committee on Ways and Means

H. 3358 -- Rep. Harrison: A BILL TO AMEND SECTION 43-35-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF TERMS USED IN THE OMNIBUS ADULT PROTECTION ACT, SO AS TO REVISE THE DEFINITIONS OF "INVESTIGATIVE ENTITY" AND "NEGLECT"; TO AMEND SECTION 43-35-40, AS AMENDED, RELATING TO REQUIREMENTS OF AN INVESTIGATIVE ENTITY UPON RECEIVING A REPORT OF ADULT ABUSE, SO AS TO FURTHER SPECIFY AND CLARIFY PROCEDURES FOR REPORTING CASES IN WHICH THERE IS A REASONABLE SUSPICION OF CRIMINAL CONDUCT; AND TO AMEND SECTION 43-35-85, AS AMENDED, RELATING TO CRIMINAL PENALTIES FOR FAILING TO REPORT ADULT ABUSE WHEN REQUIRED TO REPORT, SO AS TO DELETE PROVISIONS AUTHORIZING DISCIPLINARY ACTION WHEN A PERSON WHO HAS REASON TO BELIEVE THAT ABUSE OCCURRED FAILS TO REPORT AND TO ESTABLISH CRIMINAL PENALTIES IF A CAREGIVER, DUE TO RECKLESS DISREGARD FOR THE HEALTH OR SAFETY OF A VULNERABLE ADULT, NEGLECTS OR CAUSES GREAT BODILY INJURY OR DEATH TO A VULNERABLE ADULT.

Referred to Committee on Judiciary

H. 3365 -- Rep. Cooper: A BILL TO ENACT THE "HIGHER EDUCATION EFFICIENCY AND ADMINISTRATIVE POLICIES ACT".

Referred to Committee on Ways and Means

WEDNESDAY, JANUARY 28, 2009

H. 3366 -- Reps. Merrill and Umphlett: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58-27-700 SO AS TO PROHIBIT AN ELECTRIC UTILITY, ELECTRIC COOPERATIVE, OR THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY (SANTEE COOPER) FROM PROVIDING ELECTRIC SERVICE TO A PROPERTY OR FACILITY IN THIS STATE THAT IS USED TO HOUSE, HOLD, DETAIN, OR INTERROGATE A PERSON WHOM THE FEDERAL GOVERNMENT HAS DESIGNATED AN "ENEMY COMBATANT" OR OTHER SIMILAR TERM FOR A PERSON WHO IS SUSPECTED OF COMMITTING, CONSPIRING TO COMMIT, OR ATTEMPTING TO COMMIT EITHER A DOMESTIC OR INTERNATIONAL ACT OF TERROR.

Referred to Committee on Judiciary

H. 3368 -- Rep. Harrison: A BILL TO AMEND SECTION 9-8-60, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RETIREMENT, RETIREMENT ALLOWANCE, DISABILITY, AND BENEFICIARIES OF OTHER RETIREMENT SYSTEMS FOR PURPOSES OF THE RETIREMENT SYSTEM FOR JUDGES AND SOLICITORS, SO AS TO ALLOW A RETIREE OF THAT SYSTEM TO RECEIVE A RETIREMENT ALLOWANCE FROM IT WHILE SERVING IN STATEWIDE OFFICE AND PROVIDE THAT THIS PERSON DOES NOT BECOME A MEMBER OF, DOES NOT CONTRIBUTE TO, AND DOES NOT ACCRUE SERVICE CREDIT IN THE SOUTH CAROLINA RETIREMENT SYSTEM OR SOUTH CAROLINA POLICE OFFICERS RETIREMENT SYSTEM AS A RESULT OF SERVICE IN THAT STATEWIDE OFFICE.

Referred to Committee on Ways and Means

H. 3369 -- Reps. T. R. Young, Huggins, E. H. Pitts, Ballentine, Bingham, Haley, Cato, Clyburn, Hearn, G. M. Smith, G. R. Smith, J. R. Smith, Spires, Stewart, Viers and Wylie: A BILL TO AMEND SECTION 16-15-342, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OFFENSE OF CRIMINAL SOLICITATION OF A MINOR, SO AS TO INCREASE THE PENALTY FOR THE OFFENSE.

Referred to Committee on Judiciary

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H. 3371 -- Reps. Harvin, Kennedy, Alexander, Funderburk, Gunn, Hart, McEachern, McLeod, Ott, J. E. Smith, Spires and Weeks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-71-243 SO AS TO REGULATE A PROVIDER OF HEALTH CARE AND THE ISSUER OF INDIVIDUAL HEALTH INSURANCE WHEN AN ISSUER NEGOTIATES RATES WITH A PROVIDER FOR COVERED HEALTH CARE SERVICES AND THEN TERMINATES OR OTHERWISE NONRENEWS THE PROVIDER'S CONTRACT.

Referred to Committee on Labor, Commerce and Industry

H. 3372 -- Reps. Jefferson, Williams, Vick, J. H. Neal and Cobb-Hunter: A JOINT RESOLUTION TO ESTABLISH THE STROKE SYSTEMS OF CARE STUDY COMMITTEE WITHIN THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO DEVELOP RECOMMENDATIONS FOR A REGIONALLY ORGANIZED AND STATEWIDE COMPREHENSIVE PLAN FOR A STROKE SYSTEMS OF CARE.

Referred to Committee on Medical, Military, Public and Municipal Affairs

S. 235 -- Senator Rose: A BILL TO AUTHORIZE THE BOARD OF TRUSTEES FOR DORCHESTER SCHOOL DISTRICT NO. 2 TO IMPOSE AN IMPACT FEE ON ANY DEVELOPER FOR EACH NEW RESIDENTIAL DWELLING UNIT CONSTRUCTED BY THE DEVELOPER WITHIN THE SCHOOL DISTRICT, TO PROVIDE THAT THE FUNDS MAY ONLY BE USED FOR THE CONSTRUCTION OF PUBLIC EDUCATION FACILITIES FOR GRADES K-12 WITHIN THE DISTRICT AND FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON EXISTING OR NEW BONDS ISSUED BY THE DISTRICT, AND TO PROVIDE THAT THE IMPACT FEE SHALL BE SET AT AN AMOUNT NOT TO EXCEED THE COST THAT EACH ADDITIONAL DWELLING UNIT IMPOSES ON THE SCHOOL DISTRICT FOR PUBLIC EDUCATION FACILITIES.

Rep. A. D. YOUNG asked unanimous consent to have the Bill placed on the Calendar without reference.

Rep. OWENS objected.

Referred to Committee on Education and Public Works

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S. 289 -- Senator L. Martin: A JOINT RESOLUTION TO ALLOW THE CRIMINAL DOMESTIC VIOLENCE STUDY COMMITTEE, AS ESTABLISHED BY ACT 402 OF 2008, ADDITIONAL TIME TO REVIEW THE CRIMINAL DOMESTIC VIOLENCE LAWS OF THE STATE AND MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY CONCERNING ANY PROPOSED CHANGES.

Referred to Committee on Judiciary

HOUSE RESOLUTION

The following was introduced:

H. 3359 -- Rep. Pinson: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR NANCY CORLEY, EXECUTIVE DIRECTOR OF HOSPICECARE OF THE PIEDMONT, FOR ACHIEVING NATIONAL CERTIFICATION AS A HOSPICE AND PALLIATIVE CARE ADMINISTRATOR (CHPCA), AND TO EXPRESS APPRECIATION FOR HER TWENTY YEARS OF SERVICE WITH HOSPICECARE OF THE PIEDMONT.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 3360 -- Reps. Hiott, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Gullick, Gunn, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and

WEDNESDAY, JANUARY 28, 2009

T. R. Young: A HOUSE RESOLUTION COMMENDING COACH STAN BUTLER OF PICKENS COUNTY FOR BEING A COMPASSIONATE AND CARING TEACHER AND BASEBALL COACH.

The Resolution was adopted.

CONCURRENT RESOLUTION

The following was introduced:

H. 3361 -- Rep. H. B. Brown: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE LOCATED AT EXIT 34 IN FAIRFIELD COUNTY ALONG INTERSTATE HIGHWAY 77 THE "SENATOR JOHN A. MARTIN INTERCHANGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERCHANGE THAT CONTAIN THE WORDS "SENATOR JOHN A. MARTIN INTERCHANGE".

The Concurrent Resolution was ordered referred to the Committee on Invitations and Memorial Resolutions.

HOUSE RESOLUTION

The following was introduced:

H. 3362 -- Rep. Vick: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND THE CHESTERFIELD HIGH SCHOOL FOOTBALL TEAM FOR ITS OUTSTANDING SEASON AND FOR CAPTURING THE 2008 DIVISION I CLASS AA STATE CHAMPIONSHIP TITLE, AND TO HONOR THE TEAM'S EXCEPTIONAL PLAYERS, COACHES, AND STAFF.

The Resolution was adopted.

HOUSE RESOLUTION

On motion of Rep. VICK, with unanimous consent, the following was taken up for immediate consideration:

H. 3363 -- Rep. Vick: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE CHESTERFIELD HIGH SCHOOL FOOTBALL TEAM, COACHES, AND SCHOOL

WEDNESDAY, JANUARY 28, 2009

OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF RECOGNIZING AND COMMENDING THEM ON THEIR OUTSTANDING SEASON AND FOR CAPTURING THE 2008 DIVISION I CLASS AA STATE CHAMPIONSHIP TITLE.

Be it resolved by the House of Representatives:

That the privilege of the floor of the South Carolina House of Representatives be extended to the Chesterfield High School football team, coaches, and school officials, at a date and time to be determined by the Speaker, for the purpose of recognizing and commending them on their outstanding season and for capturing the 2008 Division I Class AA State Championship title.

The Resolution was adopted.

CONCURRENT RESOLUTION

The following was introduced:

H. 3364 -- Reps. Merrill and Umphlett: A CONCURRENT RESOLUTION TO MEMORIALIZE BOTH THE PRESIDENT AND CONGRESS OF THE UNITED STATES TO REFRAIN FROM LOCATING OR RELOCATING IN SOUTH CAROLINA INDIVIDUALS WHOM THE FEDERAL GOVERNMENT HAS CLASSIFIED AS "ENEMY COMBATANTS" OR OTHER SIMILAR TERM USED TO DESCRIBE A FOREIGN NATIONAL WHO IS SUSPECTED OF COMMITTING, CONSPIRING TO COMMIT, OR ATTEMPTING TO COMMIT AN ACT OF TERROR ON UNITED STATES SOIL OR ABROAD.

The Concurrent Resolution was ordered referred to the Committee on Invitations and Memorial Resolutions.

CONCURRENT RESOLUTION

The following was introduced:

H. 3367 -- Reps. Govan, Ott, Cobb-Hunter, Sellers, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cole, Cooper, Crawford, Daning,

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Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Gullick, Gunn, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A CONCURRENT RESOLUTION TO EXPRESS THE SINCEREST SORROW OF THE SOUTH CAROLINA GENERAL ASSEMBLY ON THE OCCASION OF THE DEATH OF ORANGEBURG COUNTY'S AUSTIN CUNNINGHAM, AND ITS GRATITUDE FOR HIS MANY YEARS OF SERVICE TOWARD THE BETTERMENT OF HIS COMMUNITY AND THIS STATE.

The Concurrent Resolution was agreed to and ordered sent to the Senate.

HOUSE RESOLUTION

The following was introduced:

H. 3370 -- Reps. Clemmons, Barfield, Edge, Hardwick, Hearn and Viers: A HOUSE RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION RENAME PUNCH BOWL LANDING IN HORRY COUNTY AS THE J.T. AND AGNES BARFIELD LANDING.

The Resolution was ordered referred to the Committee on Invitations and Memorial Resolutions.

CONCURRENT RESOLUTION

The Senate sent to the House the following:

S. 298 -- Senators Jackson and Scott: A CONCURRENT RESOLUTION TO EXPRESS THE APPRECIATION OF THE SOUTH CAROLINA GENERAL ASSEMBLY FOR THE

WEDNESDAY, JANUARY 28, 2009

OUTSTANDING COMMUNITY SERVICE OF MRS. KATHERYN M. BELLFIELD, OF RICHLAND COUNTY.

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

CONCURRENT RESOLUTION

The Senate sent to the House the following:

S. 325 -- Senators Knotts, Alexander, Anderson, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Courson, Cromer, Elliott, Fair, Ford, Grooms, Hayes, Hutto, Jackson, Land, Leatherman, Leventis, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McConnell, McGill, Mulvaney, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Rose, Ryberg, Scott, Setzler, Sheheen, Shoopman, Thomas, Verdin, Williams and Davis: A CONCURRENT RESOLUTION TO CONGRATULATE MAJOR GEORGE BOOTH, OF LEXINGTON COUNTY, SPECIAL AGENT IN CHARGE OF THE TACTICAL OPERATIONS UNIT OF THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED SERVICE, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

ROLL CALL

The roll call of the House of Representatives was taken resulting as follows:

| | | |
|-------------|-------------|-------------|
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bales | Ballentine | Bannister |
| Barfield | Battle | Bedingfield |
| Bingham | Bowen | Bowers |
| Brady | Branham | Brantley |
| G. A. Brown | H. B. Brown | R. L. Brown |
| Cato | Chalk | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Cooper | Crawford | Daning |
| Delleney | Dillard | Duncan |

[HJ]

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| | | |
|-------------|-------------|-------------|
| Edge | Erickson | Forrester |
| Frye | Funderburk | Gambrell |
| Gilliard | Govan | Gullick |
| Gunn | Haley | Hamilton |
| Hardwick | Harrell | Harrison |
| Hart | Harvin | Hayes |
| Hearn | Herbkersman | Hiott |
| Hodges | Horne | Hosey |
| Howard | Huggins | Hutto |
| Jefferson | Jennings | Kelly |
| Kennedy | King | Kirsh |
| Knight | Limehouse | Littlejohn |
| Loftis | Long | Lowe |
| Lucas | Mack | McEachern |
| McLeod | Merrill | Miller |
| Millwood | Mitchell | Moss |
| Nanney | J. H. Neal | J. M. Neal |
| Neilson | Ott | Owens |
| Parker | Parks | Pinson |
| E. H. Pitts | M. A. Pitts | Rice |
| Sandifer | Scott | Simrill |
| Skelton | D. C. Smith | G. M. Smith |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile | Spires | Stavrinakis |
| Stewart | Stringer | Thompson |
| Toole | Umphlett | Vick |
| Viers | Weeks | Whipper |
| White | Whitmire | Williams |
| Wylie | A. D. Young | T. R. Young |

STATEMENT OF ATTENDANCE

I came in after the roll call and was present for the Session on Wednesday, January 28.

Bakari Sellers

Todd Rutherford

Total Present--122

LEAVE OF ABSENCE

The SPEAKER granted Rep. WILLIS a leave of absence for the day.

WEDNESDAY, JANUARY 28, 2009

STATEMENT OF ATTENDANCE

Rep. RUTHERFORD signed a statement with the Clerk that he came in after the roll call of the House and was present for the Session on Tuesday, January 27.

STATEMENT FOR THE JOURNAL

I was absent from Session on January 27, 2009, due to my participation as a representative on a legislative panel.

Rep. Jerry N. Govan

DOCTOR OF THE DAY

Announcement was made that Dr. Gary Culbertson of Sumter was the Doctor of the Day for the General Assembly.

SPECIAL PRESENTATION

Rep. ALLISON presented to the House the James F. Byrnes High School "Rebels" Varsity Football Team, the 2008 State AAAA Champions, their coaches and other school officials.

SPECIAL PRESENTATION

Rep. ALLISON presented to the House the James F. Byrnes High School "Lady Rebels" Varsity Volleyball Team, the 2008 Class AAAA Champions, their coaches and other school officials.

CO-SPONSORS ADDED

In accordance with House Rule 5.2 below:

"5.2 Every bill before presentation shall have its title endorsed; every report, its title at length; every petition, memorial, or other paper, its prayer or substance; and, in every instance, the name of the member presenting any paper shall be endorsed and the papers shall be presented by the member to the Speaker at the desk. A member may add his name to a bill or resolution or a co-sponsor of a bill or resolution may remove his name at any time prior to the bill or resolution receiving passage on second reading. The member or co-sponsor shall notify the Clerk of the House in writing of his desire to have his name added or removed from the bill or resolution. The Clerk of the House shall print the member's or co-sponsor's written notification in the House Journal. The removal or addition of a name does not apply to a bill or resolution sponsored by a committee."

WEDNESDAY, JANUARY 28, 2009

CO-SPONSOR ADDED

Bill Number: H. 3347
Date: ADD:
01/28/09 MCLEOD

CO-SPONSOR ADDED

Bill Number: H. 3347
Date: ADD:
01/28/09 HARRELL

CO-SPONSOR ADDED

Bill Number: H. 3003
Date: ADD:
01/28/09 E. H. PITTS

CO-SPONSOR ADDED

Bill Number: H. 3018
Date: ADD:
01/28/09 HUGGINS

CO-SPONSOR ADDED

Bill Number: H. 3025
Date: ADD:
01/28/09 E. H. PITTS

CO-SPONSOR ADDED

Bill Number: H. 3027
Date: ADD:
01/28/09 E. H. PITTS

CO-SPONSOR ADDED

Bill Number: H. 3037
Date: ADD:
01/28/09 E. H. PITTS

CO-SPONSOR ADDED

Bill Number: H. 3043
Date: ADD:
01/28/09 E. H. PITTS

WEDNESDAY, JANUARY 28, 2009

CO-SPONSOR ADDED

Bill Number: H. 3045
Date: ADD:
01/28/09 E. H. PITTS

CO-SPONSOR ADDED

Bill Number: H. 3049
Date: ADD:
01/28/09 E. H. PITTS

CO-SPONSOR ADDED

Bill Number: H. 3051
Date: ADD:
01/28/09 E. H. PITTS

CO-SPONSOR ADDED

Bill Number: H. 3071
Date: ADD:
01/28/09 E. H. PITTS

CO-SPONSOR ADDED

Bill Number: H. 3077
Date: ADD:
01/28/09 E. H. PITTS

CO-SPONSOR ADDED

Bill Number: H. 3110
Date: ADD:
01/28/09 E. H. PITTS

CO-SPONSOR ADDED

Bill Number: H. 3111
Date: ADD:
01/28/09 MCEACHERN

CO-SPONSOR ADDED

Bill Number: H. 3113
Date: ADD:
01/28/09 MCEACHERN

WEDNESDAY, JANUARY 28, 2009

CO-SPONSOR ADDED

Bill Number: H. 3124
Date: ADD:
01/28/09 E. H. PITTS

CO-SPONSOR ADDED

Bill Number: H. 3127
Date: ADD:
01/28/09 E. H. PITTS

CO-SPONSOR ADDED

Bill Number: H. 3128
Date: ADD:
01/28/09 E. H. PITTS

CO-SPONSOR ADDED

Bill Number: H. 3129
Date: ADD:
01/28/09 E. H. PITTS

CO-SPONSOR ADDED

Bill Number: H. 3132
Date: ADD:
01/28/09 BRADY

CO-SPONSOR ADDED

Bill Number: H. 3132
Date: ADD:
01/28/09 J. R. SMITH

CO-SPONSOR ADDED

Bill Number: H. 3132
Date: ADD:
01/28/09 HARRISON

CO-SPONSOR ADDED

Bill Number: H. 3132
Date: ADD:
01/28/09 OWENS

WEDNESDAY, JANUARY 28, 2009

CO-SPONSOR ADDED

Bill Number: H. 3132
Date: ADD:
01/28/09 DUNCAN

CO-SPONSOR ADDED

Bill Number: H. 3132
Date: ADD:
01/28/09 COOPER

CO-SPONSOR ADDED

Bill Number: H. 3132
Date: ADD:
01/28/09 WHITE

CO-SPONSOR ADDED

Bill Number: H. 3132
Date: ADD:
01/28/09 THOMPSON

CO-SPONSOR ADDED

Bill Number: H. 3132
Date: ADD:
01/28/09 GAMBRELL

CO-SPONSOR ADDED

Bill Number: H. 3132
Date: ADD:
01/28/09 HOWARD

CO-SPONSOR ADDED

Bill Number: H. 3132
Date: ADD:
01/28/09 GOVAN

CO-SPONSOR ADDED

Bill Number: H. 3132
Date: ADD:
01/28/09 JEFFERSON

WEDNESDAY, JANUARY 28, 2009

CO-SPONSOR ADDED

Bill Number: H. 3132
Date: ADD:
01/28/09 ERICKSON

CO-SPONSOR ADDED

Bill Number: H. 3132
Date: ADD:
01/28/09 EDGE

CO-SPONSOR ADDED

Bill Number: H. 3132
Date: ADD:
01/28/09 CRAWFORD

CO-SPONSOR ADDED

Bill Number: H. 3132
Date: ADD:
01/28/09 CLEMMONS

CO-SPONSOR ADDED

Bill Number: H. 3132
Date: ADD:
01/28/09 G. R. SMITH

CO-SPONSOR ADDED

Bill Number: H. 3132
Date: ADD:
01/28/09 A. D. YOUNG

CO-SPONSOR ADDED

Bill Number: H. 3132
Date: ADD:
01/28/09 BEDINGFIELD

CO-SPONSOR ADDED

Bill Number: H. 3132
Date: ADD:
01/28/09 NANNEY

WEDNESDAY, JANUARY 28, 2009

CO-SPONSOR ADDED

Bill Number: H. 3132
Date: ADD:
01/28/09 CHALK

CO-SPONSOR ADDED

Bill Number: H. 3132
Date: ADD:
01/28/09 ANTHONY

CO-SPONSOR ADDED

Bill Number: H. 3132
Date: ADD:
01/28/09 HIOTT

CO-SPONSOR ADDED

Bill Number: H. 3132
Date: ADD:
01/28/09 LIMEHOUSE

CO-SPONSOR ADDED

Bill Number: H. 3132
Date: ADD:
01/28/09 E. H. PITTS

CO-SPONSOR ADDED

Bill Number: H. 3132
Date: ADD:
01/28/09 ALEXANDER

CO-SPONSOR ADDED

Bill Number: H. 3132
Date: ADD:
01/28/09 M. A. PITTS

CO-SPONSOR ADDED

Bill Number: H. 3132
Date: ADD:
01/28/09 BOWERS

WEDNESDAY, JANUARY 28, 2009

CO-SPONSOR ADDED

Bill Number: H. 3132
Date: ADD:
01/28/09 TOOLE

CO-SPONSOR ADDED

Bill Number: H. 3132
Date: ADD:
01/28/09 ALLISON

CO-SPONSOR ADDED

Bill Number: H. 3146
Date: ADD:
01/28/09 E. H. PITTS

CO-SPONSOR ADDED

Bill Number: H. 3147
Date: ADD:
01/28/09 MCEACHERN

CO-SPONSOR ADDED

Bill Number: H. 3147
Date: ADD:
01/28/09 E. H. PITTS

CO-SPONSOR ADDED

Bill Number: H. 3171
Date: ADD:
01/28/09 E. H. PITTS

CO-SPONSOR ADDED

Bill Number: H. 3181
Date: ADD:
01/28/09 E. H. PITTS

CO-SPONSOR ADDED

Bill Number: H. 3188
Date: ADD:
01/28/09 E. H. PITTS

WEDNESDAY, JANUARY 28, 2009

CO-SPONSOR ADDED

Bill Number: H. 3191
Date: ADD:
01/28/09 E. H. PITTS

CO-SPONSOR ADDED

Bill Number: H. 3192
Date: ADD:
01/28/09 E. H. PITTS

CO-SPONSOR ADDED

Bill Number: H. 3194
Date: ADD:
01/28/09 E. H. PITTS

CO-SPONSOR ADDED

Bill Number: H. 3194
Date: ADD:
01/28/09 OWENS

CO-SPONSOR ADDED

Bill Number: H. 3197
Date: ADD:
01/28/09 E. H. PITTS

CO-SPONSOR ADDED

Bill Number: H. 3198
Date: ADD:
01/28/09 RICE

CO-SPONSOR ADDED

Bill Number: H. 3198
Date: ADD:
01/28/09 HIOTT

CO-SPONSOR ADDED

Bill Number: H. 3198
Date: ADD:
01/28/09 LITTLEJOHN

WEDNESDAY, JANUARY 28, 2009

CO-SPONSOR ADDED

Bill Number: H. 3198
Date: ADD:
01/28/09 E. H. PITTS

CO-SPONSOR ADDED

Bill Number: H. 3245
Date: ADD:
01/28/09 RICE

CO-SPONSOR ADDED

Bill Number: H. 3245
Date: ADD:
01/28/09 HIOTT

CO-SPONSOR ADDED

Bill Number: H. 3245
Date: ADD:
01/28/09 LITTLEJOHN

CO-SPONSOR ADDED

Bill Number: H. 3245
Date: ADD:
01/28/09 OWENS

CO-SPONSOR ADDED

Bill Number: H. 3245
Date: ADD:
01/28/09 E. H. PITTS

CO-SPONSOR ADDED

Bill Number: H. 3254
Date: ADD:
01/28/09 G. M. SMITH

CO-SPONSOR ADDED

Bill Number: H. 3275
Date: ADD:
01/28/09 MILLWOOD

WEDNESDAY, JANUARY 28, 2009

CO-SPONSOR ADDED

Bill Number: H. 3276
Date: ADD:
01/28/09 MILLWOOD

CO-SPONSOR ADDED

Bill Number: H. 3277
Date: ADD:
01/28/09 MILLWOOD

CO-SPONSOR ADDED

Bill Number: H. 3278
Date: ADD:
01/28/09 MILLWOOD

CO-SPONSOR ADDED

Bill Number: H. 3279
Date: ADD:
01/28/09 MILLWOOD

CO-SPONSOR ADDED

Bill Number: H. 3280
Date: ADD:
01/28/09 MILLWOOD

CO-SPONSOR ADDED

Bill Number: H. 3303
Date: ADD:
01/28/09 AGNEW

CO-SPONSOR ADDED

Bill Number: H. 3303
Date: ADD:
01/28/09 LITTLEJOHN

CO-SPONSOR ADDED

Bill Number: H. 3303
Date: ADD:
01/28/09 WILLIAMS

WEDNESDAY, JANUARY 28, 2009

CO-SPONSOR ADDED

Bill Number: H. 3303
Date: ADD:
01/28/09 BOWERS

CO-SPONSOR ADDED

Bill Number: H. 3303
Date: ADD:
01/28/09 G. A. BROWN

CO-SPONSOR ADDED

Bill Number: H. 3303
Date: ADD:
01/28/09 SELLERS

CO-SPONSOR ADDED

Bill Number: H. 3340
Date: ADD:
01/28/09 MCEACHERN

CO-SPONSOR ADDED

Bill Number: H. 3305
Date: ADD:
01/28/09 LONG

CO-SPONSOR ADDED

Bill Number: H. 3352
Date: ADD:
01/28/09 FUNDERBURK

CO-SPONSOR ADDED

Bill Number: H. 3352
Date: ADD:
01/28/09 RICE

H. 3347--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 3347 -- Reps. Clemmons, McLeod and Harrell: A BILL TO AMEND SECTION 56-1-143, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF

WEDNESDAY, JANUARY 28, 2009

MOTOR VEHICLES GIVING APPLICANTS FOR CERTAIN SERVICES THE OPTION TO MAKE A VOLUNTARY CONTRIBUTION TO DONATE LIFE OF SOUTH CAROLINA, SO AS TO INCREASE THE AMOUNT THAT MAY BE DONATED.

Rep. CLEMMONS proposed the following Amendment No. 1 (COUNCIL\GJK\20078MM09), which was adopted:

Amend the bill, as and if amended, on page 1, line 30, by deleting /or more/ and inserting /, more or less, /

Re-number sections to conform.

Amend title to conform.

Rep. CLEMMONS explained the amendment.

The amendment was then adopted.

The Bill, as amended, was read the second time and ordered to third reading.

ORDERED TO THIRD READING

The following Joint Resolution was taken up, read the second time, and ordered to a third reading:

H. 3353 -- Rep. Harrison: A JOINT RESOLUTION TO ADOPT REVISED CODE VOLUME 21 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO THE EXTENT OF ITS CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2009.

Rep. HARRISON explained the Joint Resolution.

H. 3230--RECALLED AND REFERRED TO COMMITTEE ON JUDICIARY

On motion of Rep. WHITMIRE, with unanimous consent, the following Bill was ordered recalled from the Committee on Education and Public Works and was referred to the Committee on Judiciary:

H. 3230 -- Rep. E. H. Pitts: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-25-425 SO AS TO REQUIRE PERSONS WHO HIRE SCHOOL DISTRICT EMPLOYEES TO REVIEW THE CENTRAL REGISTRY OF CHILD ABUSE AND NEGLECT AND TO AUTHORIZE THE

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DEPARTMENT OF SOCIAL SERVICES (DSS) TO CHARGE A FEE FOR THE REVIEW; BY ADDING SECTION 63-7-1985 SO AS TO REQUIRE CERTAIN ENTITIES ENGAGED IN THE CARE OF CHILDREN TO REVIEW THE CENTRAL REGISTRY OF CHILD ABUSE AND NEGLECT BEFORE HIRING A POTENTIAL EMPLOYEE AND TO AUTHORIZE DSS TO CHARGE A FEE FOR THE REVIEW; TO AMEND SECTION 63-7-940, RELATING TO THE USE OF UNFOUNDED CASE INFORMATION CONCERNING REPORTS AND INVESTIGATIONS OF CHILD ABUSE AND NEGLECT, SO AS TO PROVIDE THAT INFORMATION CONCERNING REPORTS OF CHILD ABUSE AND NEGLECT CLASSIFIED AS UNFOUNDED MUST BE MAINTAINED BY DSS FOR TEN YEARS AND TO INCLUDE THE STATE LAW ENFORCEMENT DIVISION IN THE LIST OF AGENCIES WITH RESTRICTED ACCESS TO THE INFORMATION; TO AMEND SECTION 63-7-980, RELATING TO COOPERATION BETWEEN DSS AND LAW ENFORCEMENT, SO AS TO REQUIRE COOPERATION BETWEEN DSS AND LAW ENFORCEMENT WHETHER OR NOT A REPORT OF SUSPECTED CHILD ABUSE OR NEGLECT APPEARS TO INDICATE A VIOLATION OF CRIMINAL LAW AND TO REQUIRE THE AGENCIES TO ESTABLISH PROCEDURES FOR COLLABORATION; TO AMEND SECTION 63-7-1930, RELATING TO THE PETITION FOR PLACEMENT ON THE CENTRAL REGISTRY OF CHILD ABUSE AND NEGLECT, SO AS TO DELETE THE REQUIREMENT THAT THE DEPARTMENT MUST SEEK AN ORDER TO PLACE A PERSON ON THE CENTRAL REGISTRY WHEN A PREPONDERANCE OF THE EVIDENCE SUGGESTS THE PERSON COMMITTED SEXUAL ABUSE; TO AMEND SECTION 63-7-1950, RELATING TO UPDATING OF THE CENTRAL REGISTRY OF CHILD ABUSE AND NEGLECT, SO AS TO DELETE THE REQUIREMENT THAT DSS REMOVE REPORTS OF UNFOUNDED REPORTS FROM THE CENTRAL REGISTRY; TO AMEND SECTION 63-7-1990, RELATING TO THE CONFIDENTIALITY AND RELEASE OF RECORDS AND INFORMATION RELATING TO THE CENTRAL REGISTRY OF CHILD ABUSE AND NEGLECT, SO AS TO ALLOW JUVENILE ARBITRATORS ACCESS TO THIS INFORMATION; TO AMEND SECTION 63-7-1440, RELATING TO JUDICIAL REVIEW OF CASES OF INDICATED CHILD ABUSE AND NEGLECT, SO AS TO CHANGE THE STANDARD OF REVIEW OF THE FAMILY

WEDNESDAY, JANUARY 28, 2009

COURT TO A TRIAL DE NOVO; AND TO REPEAL SECTION 63-5-70 RELATING TO UNLAWFUL CONDUCT TOWARDS A CHILD.

OBJECTION TO RECALL

Rep. HORNE asked unanimous consent to recall S. 235 from the Committee on Education and Public Works.

Rep. OWENS objected.

MOTION PERIOD

The motion period was dispensed with on motion of Rep. RICE.

H. 3283--COMMITTED

The following Bill was taken up:

H. 3283 -- Reps. Sandifer and Cooper: A BILL TO AMEND SECTION 12-45-420, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AUTHORITY OF THE COUNTY AUDITOR, ASSESSOR, AND TREASURER TO WAIVE OR REDUCE PROPERTY TAX PENALTIES IN CASES OF ERROR BY THE COUNTY, SO AS TO ALLOW THE COUNTY COUNCIL BY MAJORITY VOTE TO DIRECT THE COUNTY TREASURER TO WAIVE, DISMISS, OR REDUCE REAL AND PERSONAL PROPERTY TAX PENALTIES IF THE COUNCIL DETERMINES SUCH ACTION IS IN THE BEST INTEREST OF THE COUNTY.

Rep. RICE proposed the following Amendment No. 1 (COUNCIL\BBM\9123HTC09):

Amend the bill, as and if amended, by adding a penultimate SECTION appropriately numbered to read:

/ SECTION __. Chapter 45, Title 12 of the 1976 Code is amended by adding:

“Section 12-45-415. A taxpayer may make and the county treasurer shall accept a partial payment of the property taxes due on a parcel of real property. Penalties for late payment imposed pursuant to Section 12-45-180 do not accrue on the partial payment.” /

Renumber sections to conform.

Amend title to conform.

Rep. RICE explained the amendment.

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Rep. MCLEOD moved to commit the Bill to the Committee on Ways and Means.

Rep. FUNDERBURK demanded the yeas and nays which were taken, resulting as follows:

Yeas 67; Nays 46

Those who voted in the affirmative are:

| | | |
|-------------|-------------|-------------|
| Agnew | Alexander | Allen |
| Anthony | Bales | Ballentine |
| Bannister | Bedingfield | Bowers |
| Branham | Brantley | G. A. Brown |
| H. B. Brown | Cato | Cobb-Hunter |
| Cole | Daning | Dillard |
| Edge | Frye | Funderburk |
| Gambrell | Govan | Gullick |
| Gunn | Haley | Hamilton |
| Harrison | Hart | Hearn |
| Hodges | Hosey | Huggins |
| Jefferson | Jennings | Kennedy |
| Kirsh | Knight | Long |
| McLeod | Merrill | Millwood |
| Moss | Nanney | J. H. Neal |
| J. M. Neal | Neilson | Ott |
| Pinson | E. H. Pitts | Rutherford |
| Scott | Sellers | Skelton |
| D. C. Smith | G. R. Smith | J. E. Smith |
| Sottile | Stewart | Stringer |
| Umphlett | Vick | Weeks |
| Whipper | Williams | Wylie |
| T. R. Young | | |

Total--67

Those who voted in the negative are:

| | | |
|-----------|----------|-------------|
| Allison | Barfield | Bowen |
| Brady | Chalk | Clemmons |
| Clyburn | Cooper | Crawford |
| Delleney | Duncan | Erickson |
| Forrester | Gilliard | Hardwick |
| Harrell | Harvin | Herbkersman |

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| | | |
|-------------|-------------|-------------|
| Hiott | Horne | Hutto |
| Kelly | King | Limehouse |
| Littlejohn | Lowe | Lucas |
| Mack | McEachern | Owens |
| Parker | Parks | M. A. Pitts |
| Rice | Sandifer | Simrill |
| G. M. Smith | J. R. Smith | Spires |
| Stavrinakis | Thompson | Toole |
| Viers | White | Whitmire |
| A. D. Young | | |

Total--46

So, the Bill was committed.

STATEMENT FOR THE JOURNAL

During the roll call vote for H. 3283, I was in the Statehouse infirmary, due to illness. Had I been able to return to the Chamber in time for the roll call vote, I would have voted 'Nay' to commit the Bill. I believe the citizens of South Carolina deserve to have this issue debated and voted on immediately.

Rep. Vida Miller

Rep. MILLWOOD moved that the House do now adjourn, which was agreed to.

RETURNED WITH CONCURRENCE

The Senate returned to the House with concurrence the following:

H. 3344 -- Reps. Jennings, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G.A. Brown, H.B. Brown, R.L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Gullick, Gunn, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, Moss, Nanney, J.H. Neal, J.M. Neal, Neilson, Ott, Owens,

[HJ]

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Parker, Parks, Pinson, E.H. Pitts, M.A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D.C. Smith, G.M. Smith, G.R. Smith, J.E. Smith, J.R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A.D. Young and T.R. Young: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND THE DILLON HIGH SCHOOL FOOTBALL TEAM FOR ITS OUTSTANDING SEASON AND FOR CAPTURING THE 2008 CLASS AA STATE CHAMPIONSHIP TITLE, AND TO HONOR THE TEAM'S EXCEPTIONAL PLAYERS, COACHES, AND STAFF.

ADJOURNMENT

At 3:22 p.m. the House, in accordance with the motion of Rep. COOPER, adjourned in memory of Sara R. Phibbs of Pelzer, to meet at 10:00 a.m. tomorrow.

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| | | | |
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| H. 3025 | 24 | H. 3280 | 33 |
| H. 3027 | 24 | H. 3283 | 37, 39 |
| H. 3037 | 24 | H. 3303 | 33, 34 |
| H. 3043 | 24 | H. 3305 | 34 |
| H. 3045 | 25 | H. 3316 | 10 |
| H. 3049 | 25 | H. 3340 | 34 |
| H. 3051 | 25 | H. 3344 | 39 |
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| H. 3124 | 26 | H. 3357 | 14 |
| H. 3127 | 26 | H. 3358 | 14 |
| H. 3128 | 26 | H. 3359 | 17 |
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| H. 3171 | 30 | H. 3366 | 15 |
| H. 3181 | 30 | H. 3367 | 19 |
| H. 3188 | 30 | H. 3368 | 15 |
| H. 3191 | 31 | H. 3369 | 15 |
| H. 3192 | 31 | H. 3370 | 20 |
| H. 3194 | 31 | H. 3371 | 16 |
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| H. 3245 | 32 | S. 298 | 20 |
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| H. 3277 | 33 | | |